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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JOHN L. and CAROLE D. SUTHERLAND,
11 husband and wife,

CASE NO. C05-5203RJB

12 Plaintiffs,

13 v.

14 CITY OF BAINBRIDGE ISLAND,

15 Defendant.
16 ORDER LIFTING STAY AND
17 SETTING DUE DATE FOR
18 COMBINED JOINT STATUS
19 REPORT AND DISCOVERY PLAN

20 This matter comes before the court on review of the file.

21 On March 23, 2005, the court issued a Minute Order Regarding Initial Disclosures, Joint Status
22 Report, and Early Settlement. Dkt. 5. In that order, the court directed that the parties file a Combined
23 Joint Status Report and Discovery Plan not later than July 15, 2005. *Id.* On May 11, 2005, the court
24 issued a Stipulation for and Order Staying Action for Ninety Days and Declaring Action Commenced for
25 Purposes of Statute of Limitations. Dkt. 10. The due date for the Combined Joint Status Report and
26 Discovery Plan was stricken upon the entry of this order.

27 The ninety-day period staying this action expired on August 9, 2005, and counsel has not notified
28 the court that settlement has been reached.

ORDER LIFTING STAY AND SETTING DUE DATE FOR COMBINED JOINT STATUS REPORT
AND DISCOVERY PLAN

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1 Therefore, it is hereby

2 **ORDERED** that the stay is hereby lifted, and not later than **October 31, 2005**, the parties shall file
3 a Combined Joint Status Report and Discovery Plan, as required by Fed.R.Civ.P. 26(f) and Local Rule CR
4 16. If the Combined Joint Status Report and Discovery Plan is not timely filed, the court will dismiss this
5 case without prejudice.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
7 party appearing *pro se* at said party's last known address.

8 DATED this 30th day of August 2005.

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11 Robert J. Bryan
12 United States District Judge
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